

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:

Ruben et al

Docket No.: PF155C1P1D1

Application No.: 10/733,311-Conf #8060

Group Art Unit: 1647

Filed: December 12, 2003

Examiner: C. Saoud

For: Keratinocyte Growth Factor-2  
Polynucleotides (as amended)

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**TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)**

**Commissioner for Patents**

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Human Genome Sciences, Inc. ("HGS") is the assignee of the entire right, title and interest in and to the instant application by virtue of an assignment recorded in the U.S. Patent and Trademark Office on December 4, 2000, at Reel 011357, Frame 0541.


HGS hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156, as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,077,692. HGS hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 6,077,692 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, HGS does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 of U.S. Patent No. 6,077,692, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an agent of record in the instant application. Pursuant to 37 C.F.R. §§ 1.321(b)(4) and §1.20(d), the Commissioner is hereby authorized to charge required fee of \$130.00 to our Deposit Account No. 08-3425, as indicated on the Fee Transmittal Sheet submitted concurrently herewith.

Dated: *October 20, 2006*

Respectfully submitted,

By   
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